

SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN

for

Minnesota Soybean Processors
Natural Gas Pipeline Installation

April 17, 2003

SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN

Great Plains Natural Gas Co.'s construction supervisor is responsible for compliance with this Plan and will assign personnel who are familiar with Spill Prevention regulations to be responsible for compliance. A complete copy of the Plan shall be maintained on site.

This Plan represents conformance with the following federal regulations regarding oil spills:

- 40 CFR, Part 110, Discharge of Oil
- 40 CFR, Part 112, Oil Pollution Prevention
- 40 CFR, Part 117, Determination of Reportable Quantities for Hazardous Substances (Subpart C, 117.21-23)
- Comprehensive Environmental Response Compensation and Liability Act of 1980 (Sections 103 and 111)
- 33 CFR, Part 153, Control of Pollution by Oil and Hazardous Substance Discharge Removal
- 49 CFR, Part 171, Subchapter C, Hazardous Material Regulations (Sections 171.15 and 171.16)
- 49 CFR, Parts 172 and 173, Hazardous Material Regulations
- 49 CFR, Part 390-397, Federal Motor Carrier Safety Regulations

DEFINITIONS

Condensate means the hydrocarbon liquid that separates from natural gas as a result of temperature and pressure changes. This may include oily liquids, water, glycol, and alcohol in varying amounts.

Discharge includes but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping. For the purposes of this part, the term discharge shall not include any discharge of oil that is authorized by permit. *Note that a **discharge** does not become a **reportable discharge** or “spill event” until it meets the criteria described below.*

Harmful Quantities include discharges of oil that violate applicable water quality standards or cause a film or sheen upon or discoloration of the surface of the water or the adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of the water or adjoining shorelines. *As a practical matter, any discharge that reaches navigable waters should be considered a harmful quantity, since very little oil will result in a sheen on the water surface.*

Navigable Waters shall include all navigable waters of the United States and waters of the state. This includes, but is not limited to interstate waters, rivers, and streams; wetlands; lakes and ponds; and groundwater.

Oil means oil of any kind or in any form, including, but not limited to petroleum, fuel oil, gasoline, sludge, oil refuse, and oil mixed with wastes other than dredged spoil.

Condensate means the hydrocarbon liquid that separates from natural gas as a result of temperature and pressure changes. This may also include oily liquids, water, glycol and alcohol in varying amounts.

Sheen means an iridescent appearance (a film) on the surface of water.

Spill or Spill Event means a discharge of oil into or upon the “navigable waters” of the United States or adjoining shorelines in “harmful quantities.” A spill event can also be considered a **reportable discharge**. Montana-Dakota further defines a spill event as:

- a discharge of oil to sewers or drinking water supplies
- a discharge of oil that may affect surface or ground water
- a discharge of oil to property not owned by Montana-Dakota
- a discharge of oil that cannot be readily controlled
- a discharge of oil greater than 25 gallons
- a discharge of oil containing greater than or equal to 50 ppm PCB’s to grazing lands or vegetable gardens
- a discharge of oil, to land or water, containing greater than or equal to 50 ppm PCB’s and exceeding the reportable quantity

OPERATING PROCEDURES

In compliance with Environmental Protection Agency requirements for oil and hazardous materials tanks, the following procedures will be followed:

- Visually inspect storage tanks and barrels for external deterioration and leaks.
- Ensure that the tanks do not overflow.
- Before truck loading, check for leakage from the truck outlets and check the connections while loading. Make sure the connections are completely disconnected before departure.
- Close and lock appropriate valves after use.
- Report all minor leaks, spills, or problems to the construction supervisor.

PERSONNEL TRAINING AND SPILL PREVENTION PROCEDURES

Detailed instructions regarding spill prevention procedures will be given to the employees by the construction supervisor. In addition, periodic discussions between the employees and their supervisors must be held. These are business conversations where problems in field operations are discussed and solved. This Plan, together with specific countermeasure techniques, will be reviewed with the appropriate employees at a safety meeting before construction starts.

Employees must be instructed and trained in the following:

- The points where leaks could cause a spill event.
- Operation and maintenance of equipment to prevent pipeline liquid discharge onto the environment.

- Types of facility failure that might cause a spill event.
- Applicable environmental laws, rules and regulations, whether federal, state, county or other agencies which must be followed to be in compliance.
- Areas where spill containment dikes could be constructed and proper construction practices.

STORAGE, CONTAINMENT, AND FACILITY TRANSFER

All tanks or barrels will be made of compatible materials with the appropriate temperature, pressure rating, overpressure protection, valving and equalization lines necessary to comply with the appropriate state and federal regulations regarding storage of regulated substances.

Care will be taken to locate tanks at least 100 feet away from perennial streambanks, wetland boundaries, or within any municipal watershed areas. Refueling activities and storage of hazardous materials is prohibited within 200 feet of all private and public water supply wells. Tanks will be placed with consideration given to emergency containment systems and spill control and cleanup. A flat area away from any washouts or gullies would be ideal.

Any tank larger than 1,320 gallons will require a dike and containment plan or a strong written commitment of equipment and manpower that could be used for cleanup.

Loading and unloading facilities will be designed to meet minimum OSHA, NFPA, UFC and DOT requirements. Fuel valves used for the final control of flow shall be of the self-closing type and shall be manually held open except where automatic means are provided for shutting off the flow when the vehicle is full.

Contaminated liquids inside diked areas will not be drained outside the diked area onto the ground or into any open watercourse.

SECURITY

Tanks will be located in an area where vandalism is not a problem. Any valve that permits an outward flow of liquid from the tank will be locked closed when the tank is not going to be used for extended periods of time or when the tank is left overnight.

SPILL RESPONSE PROCEDURES AND NOTIFICATIONS

1. Basic Response Procedures

If safely possible the person that discovers or causes a discharge of oil, whether or not it qualifies as a reportable discharge (spill event), should eliminate the source immediately. If, in the judgment of that person it is preferable to secure other assistance first, that should be accomplished.

Small releases of uncontaminated oil that do not qualify as a spill (per the definition) and that are readily contained and properly cleaned up are not subject to the following procedures.

Persons discovering discharges that result in spill events, or any discharges involving PCB's in concentrations greater than or equal to 50 ppm must report the discharge to their immediate supervisor, who will contact the regional compliance coordinator. If the regional compliance coordinator is unavailable, the regional manager should be contacted. The regional compliance coordinator/regional manager must be provided the following information:

- Time of spill
- Location of spill
- Amount of oil spilled and type of device involved
- Measures taken to control the spill
- Weather conditions
- Estimated surface area

Upon confirming that the discharge is reportable, the compliance coordinator will initiate the agency notification procedures described below, in addition to completing a spill report form for the General Office.

Be certain to record the contacts that were made, the time of day, and any other pertinent information from the agency calls. The National Response Center will provide an "incident number" that must be recorded and included with any subsequent correspondence.

2. Agency Notification Procedures

When an oil discharge (whether the oil contains PCB's or not) has become a **spill event**, the following steps should be followed to insure the agencies are notified by telephone in a timely manner.

Step 1:

Contact the General Office Environmental Department

Andrea Stomberg	(Office) 701-222-7752	Home 701-258-1657
Jason Boeckel	(Office) 701-222-7657	Home 701-224-0271

General Office personnel will complete the required notification procedures to the National Response Center, State, and EPA as required below. If General Office personnel are not available, the project manager or the construction supervisor shall make these notifications.

Step 2:

Notification to the Federal and State agencies is required as soon as the person in charge has knowledge of a discharge of oil in harmful quantities to navigable waters. In reality, the notification needs to be made when the situation has been evaluated and response has already begun. Agencies listed in sections A and B below need to be notified if a spill event occurs involving uncontaminated oil.

A. The National Response Center

US Coast Guard – National Response Center

Washington, DC (800) 424-8802 (24 hours/day)

- Be prepared to provide the following information:
- your name, title, and telephone number
- your company's name and address
- date, time, and location of the spill
- material spilled, source of spill, total amount spilled
- water body involved
- amount in the water
- weather conditions
- number and type of injuries
- continuing danger to life or environment
- description of the cleanup plans
- other agencies that have been notified.

B. The Appropriate State Agency**Minnesota**

The Minnesota Department of Public Safety, Division of Emergency Management operates a 24-hour State Duty Officer service establishing a one-call system for all state reporting requirements. The Duty Officers record all pertinent information and then make the appropriate notifications to all necessary state agencies and certain county agencies. Notifications to the Federal EPA or NRC are not made by the Duty Officer and are your responsibility.

To Report a Spill

The MN State Duty Officer at:

651/649-5451 or 800/422-0798

C. Environmental Protection Agency

If PCB's are present and exceed the reportable quantity, in addition to the National Response Center and the appropriate state, the EPA must be contacted at (303) 293-1732.